

WYTH0144-100 (AM100182 01)
Serial No. 09/769,107

July 21, 2005 Petition

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Vincent P. Sandanayaka et al.

Confirmation No.: 4495

Serial No.: 09/769,107

Art Unit No.: 1625

Filing Date: January 24, 2001

Examiner: Raymond K. Covington

For: METHOD FOR PREPARING ALPHA-SULFONYL HYDROXAMIC ACID DERIVATIVES

Customer No.: 35139

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA EXPRESS MAIL LABEL NO: EV146 600 975US
DATE SENT: July 21, 2005

PETITION

SIR:

Applicants hereby petition for a refund of the \$1520 fees paid on April 25, 2005 for a three month extension of time (\$1020.00) and for a Notice of Appeal (\$500.00), as well as for an indication that the period in question is not Applicant Delay for Patent Term Adjustment purposes. The extension and the Notice of Appeal were filed solely to keep the case alive while awaiting action by the Office which was delayed for reasons beyond Applicants' control.

Summary Of Events of The Relevant Time Period

A Final Office Action was mailed on October 25, 2004, setting a three month shortened statutory period for response. The PAIR system lists this action as non-final, although the actual document clearly indicates it is final. Applicants filed a response on January 7, 2005, within the three month shortened statutory period for response.

A review of the file will show that the October 25, 2004 Action was a remailed version of an action mailed a year earlier, which apparently was lost in the mail. After the January 7, 2005 response was filed, Applicant retained new counsel, who questioned the remailed action to

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Adjustment date: 09/09/2005 AKELLEY
07/25/2005 BABRAHA1 00000080 501275 09769107
01 FC:1464 130.00 CR

09/09/2005 AKELLEY 00000014 501275 09769107
01 FC:1462 400.00 DA